

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

IAN A. WOODS,

Plaintiff(s),

vs.

AARON BROWN, et al.,

Defendant(s).

Case No. 2:13-cv-01029-APG-NJK

ORDER DENYING MOTION TO  
APPOINT COUNSEL

(Docket No. 46)

On April 28, 2014, United States District Judge Andrew P. Gordon denied Plaintiff's motion for appointment of counsel, finding no exceptional circumstances exist in this case. *See* Docket No. 18 at 2-3. Now before the Court is Plaintiff's motion for appointment of counsel, specifically seeking inclusion into the Court's pilot program for the representation of *pro se* litigants. *See* Docket No. 46; *see also* General Order 2014-01. "Whether to refer a case for appointment is discretionary" and the General Order has outlined numerous factors to be considered. *See id.*, Section 1(a). Having reviewed the relevant factors, the Court finds that appointment of counsel is not appropriate in this case. Accordingly, the motion to appoint counsel is hereby **DENIED**.

In addition, Plaintiff filed the pending motion on an *ex parte* basis. A party seeking relief on an *ex parte* basis must provide a statement showing good cause why notice to the other parties is not appropriate. *See* Local Rule 7-5(b). Seeking relief from the Court on an *ex parte* basis is limited to only the most limited circumstances. *See In re Intermagnetics America, Inc.*, 101 B.R. 191, 193 (C.D. Cal. 1989); Local Rule 7-5(c) (*ex parte* motions are proper "only for compelling reasons").

1 The pending motion does not explain why it was filed on an *ex parte* basis, and the Court finds that  
2 compelling reasons for doing so are absent. Accordingly, the Court hereby **INSTRUCTS** the  
3 Clerk's Office to remove the *ex parte* designation on the docket so that the motion may be viewed by  
4 the other parties.

5 IT IS SO ORDERED.

6 DATED: December 15, 2014.

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10 NANCY J. KOPPE  
11 United States Magistrate Judge  
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